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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 1127/2025**

PRAMOD

.....Appellant

Through: Mr. Shubham Kumar, Mr. Rishabh Rajpoot, Ms. Ridhika Khanna and Mr. Amanpreet Singh, Advocates

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State with SI Sanjeev
Ms. Vrinda Bhandari, Advocate (DHCLSC) with Ms. Vanshita Gupta, Advocate for Victim

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

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17.07.2026

CRL.M.(BAIL) 1702/2025

1. This is an application under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, filed by the sole accused in Sessions Case no.172/2017 on the file of Additional Sessions Judge-01 (POCSO Act), South East District, Saket Courts, New



Delhi seeking suspension of sentence. *Vide* the impugned judgement dated 14.05.2025, the accused has been convicted for the offences punishable under Sections 363, 366, 376 IPC and Section 4 of PoCSO Act. *Vide* order on sentence dated 20.05.2025, he has been sentenced to varying terms of imprisonment for the aforesaid offences. The sentences have been directed to run concurrently. Therefore, the maximum sentence he will have to undergo is for a period of 07 years.

2. The learned counsel for the appellant submits that out of the sentence of 07 years, the appellant has served more than 1 ½ years. He took me through Ext. PW14/A FIR/FIS, Ext. PW1/A 164 statement of the victim and submits that it was a case of consensual relationship and therefore, the sentence of the appellant/accused is liable to be suspended.

3. The application is opposed by the learned Additional Public Prosecutor for the State as well as by the learned counsel for the Victim. It is submitted by the learned counsel for the victim



that in her testimony before the trial court, the victim has clearly deposed that it was on the promise of marriage that she had entered into sexual relationship with the appellant/accused.

4. Heard both sides.

5. The victim was aged about 17 years at the time of the incident, which means that she was on the verge of maturity. From a reading of the Ext. PW14/A FIR/FIS, Ext. PW1/A 164 statement of the victim, it appears that the appellant/accused has an arguable case. The question whether the victim had consented to the sexual relationship on the promise of marriage by the appellant/accused as argued by the learned counsel for the victim is a matter that can be considered when the appeal is heard on merits.

6. Hence, the sentence imposed upon the appellant/accused is suspended during the pendency of the appeal on execution of a personal bond of ₹15,000/- with two solvent sureties for the like amount each to the satisfaction of the trial court, subject to the following conditions:-



(i) The appellant shall not commit any offence(s) while on bail.

(ii) The appellant shall appear before this Court as and when directed.

(iii) The appellant shall not make any attempt to contact the victim or her family members in any manner whatsoever.

(iv) The appellant shall provide his mobile number and the address where he is residing to the Station House Officer concerned and shall not change the mobile number and address without informing the Station House Officer concerned.

(v) Needless to say, in the event of violation of any of the aforementioned condition(s), the suspension of sentence granted shall forthwith stand cancelled.

7. With the above directions, the application is disposed of.

8. A copy of this order be communicated to the Jail



Superintendent concerned for information and compliance.

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List on 17.12.2026.

CHANDRASEKHARAN SUDHA, J

JULY 17, 2026

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